



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

FEB 04 2008

Honorable Curt Miller
Mayor of City of Pretty Prairie
119 West Main Street
Pretty Prairie, KS 67570

Dear Mayor Miller:

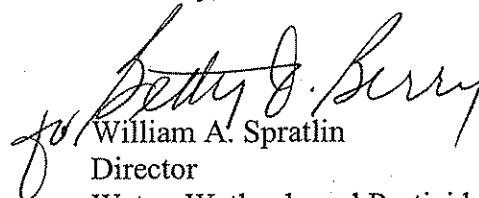
Re: Use of Bottled Water Under the Safe Drinking Water Act (SDWA)

It has been brought to the attention of the U.S. Environmental Protection Agency (EPA), Region VII, through the Kansas Department of Health and the Environment (KDHE) that Pretty Prairie is seeking clarification of the use of bottled water to achieve compliance with provisions of the SDWA. Under the SDWA, bottled water is allowed for use in very limited situations, such as in emergency situations or as a temporary measure under variances and exemptions. However, bottled water is prohibited for use by a public water system to achieve compliance with the Maximum Contaminant Level (MCL); 40 CFR § 141.101 reads "Public water systems shall not use bottled water to achieve compliance with an MCL. Bottled water may be used on a temporary basis to avoid unreasonable risk to health."

The city's of Pretty Prairie drinking water system has a long history of exceeding the MCL for nitrates under the SDWA and must come into compliance with the MCL as soon as possible. Because bottled water cannot be used to achieve compliance with MCL, EPA strongly encourages the city of Pretty Prairie to work with KDHE and take additional measures to come into compliance.

If you have any questions, please contact Mary Tietjen-Mindrup, Chief, Drinking Water Management Branch, at (913) 551-7431.

Sincerely,


William A. Spratlin
Director

Water, Wetlands and Pesticides Division

cc: Dave Waldo
KDHE

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Wurtz

Monica Wurtz

01/30/08

Mindrup

M. Mindrup

01/30/08

W. A. Spratlin

02/04/08